



Applicants: Cary B. Cochenour
and Craig G. Cochenour

Group Art Unit: 3739
Examiner: Kenneth C. Williams

Serial No. 10/785,555

Confirmation No. 8139

Title: Patient Activated Temperature-
Controlled Surface

Attorney Docket No. 040073

**SUPPORTING STATEMENT OF WITNESS TO FACTUAL EVIDENCE PRESENTED IN
DECLARATION OF CRAIG G. COCHENOUR UNDER 37 C.F.R. § 1.131**

I, Colleen D. Cochenour, am a registered nurse and a professional nurse educator. At least as early as January 11, 2003, I witnessed the verbal disclosures and written drawings of Cary B. Cochenour and Craig G. Cochenour of the above-captioned invention that is described and claimed in US Patent Application Nos. 60/450,859 and 10/785,555, in North Huntingdon, Pennsylvania, United States of America. I understood their verbal disclosures and written drawings of their invention on January 11, 2003, and I have read and understood those Applications.

Cary B. Cochenour and Craig G. Cochenour verbally explained to me the above-captioned invention that is described and claimed in US Patent Application Nos. 60/450,859 ('859) and 10/785,555 ('555) on the morning of January 11, 2003. Cary B. Cochenour and Craig G. Cochenour and I again discussed the details of this invention over lunch on January 11, 2003. As a nurse, I was particularly interested in the possible health benefits that this invention would provide to an older patient, specifically, a geriatric pet. I remember these morning and lunch discussions and the sunny winter Western Pennsylvania day very clearly since I also purchased a new automobile on that same day.

On the evening of January 11, 2003, Cary B. Cochenour and Craig G. Cochenour showed to me their drawings of their invention and which a true and correct copy of each of these drawings is attached hereto as Exhibit A (Cary's drawing) and Exhibit B (Craig's drawing), respectively. The drawings of their invention as shown in the attached Exhibits A and B are now generally shown in Figures 1 and 2 of the above-mentioned Patent Application Nos. '859 and '555.

Cary B. Cochenour and Craig G. Cochenour diligently completed their invention from at least as early as January 11, 2003 and continuously did so up to and including the actual reduction to practice of the invention. I saw them work on their invention every evening and weekend from at least as early as January 11, 2003 through at least February 15, 2003. At the request of Cary B. Cochenour and Craig G. Cochenour, I personally purchased a new temperature source for use in the working full scale invention on February 7, 2003. The receipt bearing my signature for this purchase was included in Exhibit "C" of Craig G. Cochenour's Declaration dated April 26, 2005. I witnessed a patient (geriatric dog) resting happily in the full size working invention on February 15, 2003, in North Huntingdon, Pennsylvania, United States of America. On February 28, 2003, I helped Cary B. Cochenour set up his display of this invention at the Norwin School District Science Fair, Scull Elementary School, Irwin, Pennsylvania, United States of America. US Patent Application No. '859, which discloses and claims their invention, was filed in the United States Patent and Trademark Office on that same day.

In summary, I personally understood their invention on January 11, 2003, as described and claimed in US Patent Application No. 60/450,859 to which the above-captioned utility Patent Application claims priority thereto, as explained to me by Cary B. Cochenour's and

Craig G. Cochenour's oral disclosures to me and written drawings shown to me, at least as early as January 11, 2003, which is a date (i) prior to the October 7, 2004 publication date of "Park" U.S. Patent Application Publication No. 2004/0195227, and (ii) prior to the January 15, 2003 filing date of the "Park" Provisional Application 60/440,306. I am also witness to Cary B. Cochenour's and Craig G. Cochenour's diligent, continuous and complete reduction to practice of the actual physical working patient activated temperature-controlled surface as enjoyed by a resting geriatric canine on February 15, 2003.

I declare that the foregoing is true and correct, that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

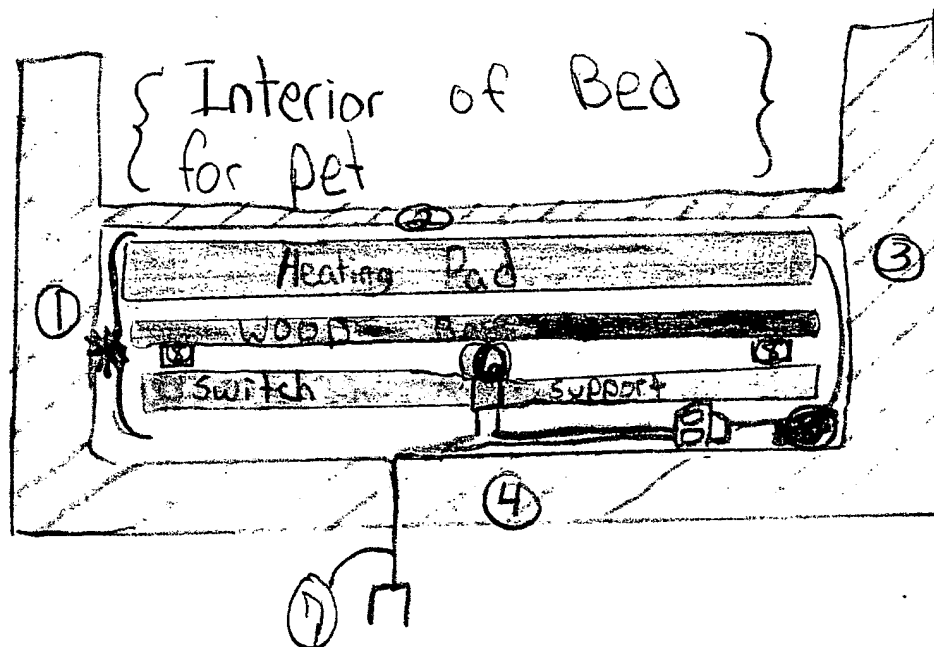
Date: May 11, 2006

A handwritten signature in cursive script, appearing to read "Colleen D. Cochenour", written over a horizontal line.

Colleen D. Cochenour



EXHIBIT A



- * Bottom compartment of bed interior
- ① Left exterior of bed
- ② floor of bed interior for pet
- ③ Right exterior of bed
- ④ Bottom exterior of bed
- ⑤ Heating pad control module
- ⑥ Momentary switch
- ⑦ Electric cord to power source
- ⑧ LEGG® Buffer

EXHIBIT B

